

Jan. 19, 2012

## House Health Care Committee

Thank you for the opportunity to speak before the Committee and I want to offer a special thank you to Chairwoman Gaines for extending the meeting time to give ordinary citizens a chance to have their voices heard.

In the time that SB 693 has wound its way to this Committee, we know more about the 2,000 page behemoth called The Patient Protection and Affordable Care Act commonly known as Obama Care and its mandates including the establishment of state Health Care Exchanges. Additionally, we know that circumstances have changed that could strike down or even repeal it well before the mandated business date for state Health Care Exchanges of January 1, 2014.

We know that "State politicians are no longer fooled by the argument that if they do no collaborate to establish state-based exchanges, the federal government will enter their state and do it for them. Recent close reading of the law has debunked this notion. As written, the Patient Protection and Affordable Care Act (PPACA) has (at least) two clauses that will prevent this from happening ...The likelihood of exchanges being up and running by January 2014 is vanishingly close to zero. Indeed, they may not exist at all except in very few states — whether or not President Obama wins re-election." Health policy expert John Graham of the Pacific Research Institute wrote on Sept 22, 2011 <http://thehealthcareblog.com/blog/2011/09/22/preparing-for-exchanges/>

We know that in June of this year the Supreme Court will hear appeals by 26 states, including Michigan, on the constitutionality of the requirement that virtually every American obtain health insurance by 2014 and the of the expansion of the Medicaid program.

We know that here in Michigan, Senate Resolution 95 passed (20 to 17) on November 10, 2011, declaring that the Federal Patient Protection and Affordable Care Act "violates the U.S. Constitution, including the Ninth and Tenth Amendments and the constitutional principles of federalism and dual sovereignty on which this nation was founded," and urges its repeal or invalidation.

We all know that there is a presidential election in November this year that depending on the income could see the repeal or defunding of Obama Care in 2013.

\*We know that the federal government's plan is to collect and accumulate confidential patient records for every one of us

We know that private businesses are being asked to provide proprietary information to the government for purposes that will undermine their competitiveness. . Under these provisions, such private insurance may cease to exist with the outcome of Americans not being able to keep the coverage they now have. (In proposed rules from Secretary Kathleen Sebelius and the Department of Health and Human Services <http://washingtonexaminer.com/opinion/op-eds/2011/09/obamare-hhs-rule-would-give-government-everybody-s-health-records>

(See Proposed Rule: Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment, Volume 76, page 41930. Proposed rule docket ID is HHS-OS-2011-0022 <http://www.gpo.gov/fdsys/pkg/FR-2011-07-15/pdf/2011-17609.pdf>)

**How does the Federal government propose to collect this information?**



Through the establishment of an IT system via state Health Care Exchanges where by a simple touch of a "Send" button, the confidential health records of every American and proprietary information about private business practices is delivered to government bureaucrats.

**\*\*But one of the most compelling reasons to oppose the creation of an Exchange is that "we the people" of Michigan do not want one. We did want Obama Care when it was rammed through Congress in partisan fashion and we do not want it now. (Even Democrat House Minority Whip Steny Hoyer (D-Md.) admitted last July; "I don't think healthcare was handled the way it should've been")**

Because, Obama Care isn't about Health care, it is about control. Once the government controls your health care, everything from your BMI to organ donation, they can control every aspect of your life.

Many states recognize this fact.

The governors' of Louisiana, Texas, Kansas, Oklahoma, Florida, Arkansas and South Carolina all have refused to implement Health Care Exchanges in their states. (According to the National Council of State Legislators, "In response to Obama Care, some members of at least 45 state legislatures have proposed legislation to limit, alter or oppose selected state or federal actions.")

Members of this Committee, this is not merely a matter of establishing an Exchange but a battle being waged against an overreaching, draconian, unconstitutional and unwanted Federal law, rammed through Congress against the will of the people of Michigan and indeed the Nation.

Instead of implementing now, the citizens of Michigan want to use every tool possible to stop or impede it and there is still time.

I ask that you join the people of Michigan and those states in this battle that affirm by their actions, in refusing to create Health Care Exchanges that "The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." - **James Madison**  
Federalist Papers, No. 45, (January 26, 1788) and do not allow this bill to leave this Committee.

Our first president and Revolutionary war hero, George Washington, said"

"The time is near at hand which must determine whether Americans are to be free men or slaves."

Now is such a time.

Thank you

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\*"The HHS has proposed the federal government pursue one of three paths to obtain this sensitive information:

1. A "centralized approach" wherein insurers' data go directly to Washington;
2. An "intermediate state-level approach" in which insurers give the information to the 50 states;
3. Or a "distributed approach" in which health insurance companies crunch the numbers according to federal bureaucrat edict.

\*\* Polling from Nov. of 2011 to January 2012 by Rasmussen, AP, CBS, Quinnipiac, Gallup and others confirms that opposition to Obama Care only continues to grow.

Rasmussen Reports\*1/7 - 1/81000 LV4254Against/Oppose +12

Associated Press/GfK12/8 - 12/121000 A2949Against/Oppose +20

CBS News12/5 - 12/7856 A3551Against/Oppose +16

Quinnipiac\*11/14 - 11/202552 RV4147Against/Oppose +6

Gallup\*11/3 - 11/61012 A4247Against/Oppose +5

[http://www.realclearpolitics.com/epolls/other/obama\\_and\\_democrats\\_health\\_care\\_plan-1130.html](http://www.realclearpolitics.com/epolls/other/obama_and_democrats_health_care_plan-1130.html)